

Message Text

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ORIGIN EB-07

INFO OCT-01 EA-06 ISO-00 FEAE-00 OES-03 INT-05 CAB-02

CIAE-00 COME-00 DODE-00 DOTE-00 INR-07 NSAE-00 RSC-01

FAA-00 L-02 /034 R

DRAFTED BY EB/OA/AVP:JCOOK:GL

APPROVED BY EB/OA/AVP:DBORTMAN

EA/ANP - MICHAUD

AN- COBB

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P R 142044Z JAN 75

FM SECSTATE WASHDC

TO AMEMBASSY CANBERRA PRIORITY

INFO AMCONSUL MELBOURNE

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E.O. 11652: N/A

TAGS: AS

SUBJECT: CIVAIR- GOA POLICY ON AVIATION FUEL

REF: (A) CANBERRA 6911 (B) STATE 236661

1. DEPT HAS LEARNED FROM TRANS INTERNATIONAL AIRWAYS (TIA) THAT IT IS EXPERIENCING DIFFICULTIES WITH AUSTRALIAN AUTHORITIES IN SECURING FUEL FOR CHARTER FLIGHTS TO AUSTRALIA BECAUSE OF REPORTED RELUCTANCE OF ITS SUPPLIER, CALTEX TO COMPLY WITH GOA POLICY ON AVIATION FUEL PER REFTEL (A). ACCORDING TO TIA IT HAS EXISTING CONTRACT WITH CALTEX FOR 50,000 GALLONS OF AVIATION FUEL AND SUPPLIER AGREED TO INCREASE THIS AMOUNT FOR SEVERAL TIA FLIGHTS SCHEDULED THIS MONTH. GOA AUTHORITIES APPARENTLY FELT THIS ADD-ON CONSTITUTED A NEW CONTRACT WHICH, UNDER GOA POLICY, MUST BE NEGOTIATED AT "OVERSEAS PRICE". ACCORDINGLY, IT ORDERED TIA TO PROVIDE COPY OF ITS CONTRACT

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WITH CALTEX AND HAS REQUESTED LATTER TO SUPPLY PRICE DATA

ON ITS FUEL CONTRACTS. TIA HAS REPORTEDLY COMPLIED WITH GOA ORDER BUT CALTEX HAS REFUSED TO DO SO. GOA NOW REFUSES TO APPROVE TIA FLIGHTS UNLESS CALTEX COMPLIES WITH ORDER.

2. IF FACTS IN PARA 1 ARE TRUE WE BELIEVE TIA SHOULD NOT BE PENALIZED FOR ACTIONS OF CALTEX. SUGGEST EMBASSY INVESTIGATE FACTS OUTLINED ABOVE AND, IF APPROPRIATE, MAKE

WHATEVER REPRESENTATIONS IT DEEMS APPROPRIATE ON BEHALF OF TIA AND REPORT BACK TO DEPT. TIA INDICATED MATTER IS URGENT BECAUSE SEVERAL OF ITS FLIGHTS ARE SCHEDULED FOR THIS MONTH.

3. DEPT WOULD APPRECIATE STATUS REPORT ON CURRENT GOA POLICY ON AVIATION FUEL. DEPT HAS CONSULTED WITH FEDERAL ENERGY ADMINISTRATION ON POSSIBLE USG COUNTERMEASURES IF IT IS DETERMINED THAT GOA POLICY VIOLATES "RECIPROCAL NON DISCRIMINATION" PROVISION OF FEA REGULATIONS (SEE REFTEL (B)). KISSINGER

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